

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully solicited.

Claims 13 - 25 are pending in the application. Currently, no claim stands allowed. By the present amendment, claims 13 and 15-25 have been amended and claim 14 has been canceled.

In the office action mailed February 18, 2005, claims 14 - 25 were objected to; claims 17 - 19 were rejected under 35 U.S.C. 112, second paragraph as being indefinite; claim 15 was rejected under 35 U.S.C. 112, first paragraph; claims 13 - 16 and 23 - 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,298,308 to Reid et al. in view of U.S. Patent No. 4,568,909 to Whynacht; claims 17 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Reid et al. in view of Whynacht and further in view of U.S. Patent No. 6,845,148 to Beamon; claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reid et al. in view of Whynacht, Beamon, and Applicant's alleged disclosure; claims 20 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Reid et al. in view of Wynacht and further in view of U.S. Patent No. 6,437,692 to Petite et al.; and claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Reid, Whynacht, Petite and further in view of U.S. Patent No. 6,553,336 to Johnson.

The foregoing rejections are traversed by the instant response.

With regard to the objection to the claims and the rejections under 35 U.S.C. 112, first and second paragraphs, appropriate amendments have been made to the claims. Thus, the objection and the rejections have been mooted.

With regard to the rejections based on prior art, these rejections have also been mooted for the following reasons.

The object of the claimed invention is to make available to a facilities management company which manages electromechanical facilities such as elevators, automatic doors or gates, ventilation systems, HVAC or heating systems, an automatic tool to control the different facilities maintenance companies with regards to the goals of their respective maintenance contracts and to make a real time calculation of the deviation between the job done by the maintenance companies and the quantitative goals of the contract. To this purpose, the invention provides local monitoring units, each being installed in the vicinity of and attached to one respective monitored facility and being provided with control means independent from the operational state of the monitored facility, for acquiring the start and the end time of each maintenance or repair task performed by a maintenance technician on the associated facility. The maintenance information and other information about the operational status of the associated facility are transmitted to central computers which store the received information in a central database. The maintenance and operational state information is analyzed by one central computer in order to determine if the maintenance and repair tasks performed by the maintenance technicians satisfy contractual obligations of the maintenance company. In order to reinforce the object of the present invention, the subject matter of claim 14 is incorporated in claim 13 and claim 14 is deleted.

The Examiner has rejected claims 13 - 16 and 23 - 25 as being unpatentable over Reid et al. in view of Whynacht. Reid et al. discloses a system comprising local units (local expert 16) installed near machines to be monitored and performing a

diagnostic of the condition of the machine and transmitting the diagnostic information via a network. Reid et al. do not disclose local monitoring units comprising means for allowing a maintenance technician to real time notify the start and end times of a maintenance task performed on the machine.

The Whynacht reference relied upon by the Examiner discloses a system for monitoring elevators in remotely located buildings. This system has local monitoring units (slave 20) attached to sensors associated with an associated elevator and transmitting signals indicative of the status of parameters to a master. The master comprises means for evaluating performance data of the monitored elevators, and transmitting alarm and performance data to a local monitoring center 14 and then to a central monitoring center 16 comprising a database. Each elevator comprises a switch actuated by a key on the car roof or inside the machinery for disabling the elevator car when the serviceman performs maintenance operations inside the hoistway. The state of the switch is stored in an INSPECT variable which is sent through the network.

In contrast the claimed control means for enabling a maintenance technician to signal the start and end of maintenance, repair or works operations on a facility are independent from the state of the monitored facility. In fact, the INSPECT switch in Whynacht can not be compared with the claimed control means, since the maintenance operations performed by a maintenance technician do not necessarily require to disable the machine or to hold it in a non-operational state. In fact, only a few operations required to hold an elevator in such an inspection mode in which the elevator is not usable by other persons, and thus does not respond to user commands, but can move up and down under the control of the technician,

regardless the state of the security chain of the elevator (for example in order to inspect the hoistway).

It is submitted that even if Reid et al. and Whynacht were properly combined, the references do not teach or suggest the invention now set forth in claim 13.

Claims 15 - 25 are believed to be allowable for the same reasons that claim 13 is allowable and further on their own accord since the cited and applied references do not teach or suggest the combination of elements set forth in the claims. Further, with regard to claim 17, in contrast with the Examiner's assertion, Beamon fails to suggest to compare computed maintenance times to thresholds and to create maintenance fault signals in case a threshold is exceeded. The paragraphs in Beamon cited by the Examiner merely suggest to perform statistical computations about maintenance task data. With regard to claim 23, the portions of Reid et al. relied upon by the Examiner merely suggest to detect faults pertaining to operation of the monitored machine but not the local monitoring unit itself (autotests).

With regard to the other references relied upon by the Examiner, they do not cure the principal deficiencies of the Reid et al. and Whynacht references. In fact, none of them suggest control means integrated into a local monitoring unit attached to a machine to be monitored.

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicant's attorney at the telephone number listed below.

Appl. No. 09/971,946
Amdt. dated July 18, 2005
Reply to office action of Feb. 18, 2005

A Request for a Two-Month Extension of Time is enclosed herewith.

The Director is hereby authorized to charge \$225.00 to cover the cost of the extension of time fee to Deposit Account No. 02-0184. Should the Director determine that an additional fee is due, he is hereby authorized to charge said fee to said Deposit Account.

Respectfully submitted,

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By _____

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Date: July 18, 2005

I, Nicole Motzer, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on July 18, 2005.

